

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty) (PCT Article 36 and Rule 70)



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Applicant's or agent's file reference 10003508WO01	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/012776	International filing date (day/month/year) 27.08.2004	Priority date (day/month/year) 01.09.2003
International Patent Classification (IPC) or national classification and IPC Int.Cl. ⁷ H04N1/00		
Applicant CANON KABUSHIKI KAISHA		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: <div style="margin-left: 20px;"> a. <input checked="" type="checkbox"/> a total of <u>9</u> sheets, as follows: <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input checked="" type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. </div> </div> <div style="margin-left: 20px;"> b. <input type="checkbox"/> a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). </div>
4.	This report contains indications relating to the following items: <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application </div>

Date of submission of the demand 27.06.2005	Date of completion of this report 03.08.2005
Name and mailing address of the IPEA/JP Japan Patent Office 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan	Authorized officer Teruhisa Chiba Telephone No. +81-3-3581-1101 Ext. 3571

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/012776

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-48 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- pages 1-12 _____ as originally filed/furnished
- pages* _____ as amended (together with any statement) under Article 19
- pages* 13-15 received by this Authority on 27.06.2005
- pages* _____ received by this Authority on _____
- ☒ the drawings:
- pages 1-14 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

4. ☒ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☒ the description, pages 10, 11
- ☒ the claims, Nos. 1, 5, 9
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/012776

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 13-15

because:

☐ the said international application, or the said claims Nos. _____
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 13-15
are so unclear that no meaningful opinion could be formed (*specify*):

Although Claim 13(14,15) is dependent on Claim 1(5,9), the subject matter described in Claim 13(14,15) is not conformity with that of Claim 1(5,9)...

☐ the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed.

☐ no international search report has been established for said claims Nos. _____

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

- ☐ has not been furnished
☐ does not comply with the standard

the computer readable form

- ☐ has not been furnished
☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions in that the computer readable form:

- ☐ has not been furnished
☐ does not comply with the technical requirements

☐ See Supplemental Box for further details.

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/012776

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-12</u>	YES
	Claims	<u> </u>	NO
Inventive step (IS)	Claims	<u>1-12</u>	YES
	Claims	<u> </u>	NO
Industrial applicability (IA)	Claims	<u>1-12</u>	YES
	Claims	<u> </u>	NO

2. Citations and explanations(Rule 70.7)

D1:JP 2000-354127 A (Ricoh Co.),2000.12.19

D2:JP 9-247334 A (Sanyo electric),1997.09.19

The subject matter of claim 1-12 is neither disclosed in any of the documents(D1,D2) cited in the ISR nor obvious to a person skilled in the art.

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/012776

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box No. I 4.

The amendment to delete the word "a digital encoding method of digital encoding means is switched to a digital encoding method suitable for the facsimile modulating method," from claim 1, 5, 9 is considered to go beyond the disclosure as originally filed.

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